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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/660,976

09/11/2003

Franco Vitaliano

VXM-001C (9374/2)

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7590

09/22/2006

Franco Vitaliano and Gordana Vitaliano
4 Longfellow Place, #2105
Boston, MA 02114-2818

EXAMINER

NEGIN, RUSSELL SCOTT

ART UNIT

PAPER NUMBER

1631

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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20060916

DATE MAILED:

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Commissioner for Patents

The reply filed on 7 September 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

According to 37 CFR 1.111:

(Reply by applicant or patent owner to a non-final Office action.)

(a)(1) If the Office action after the first examination (§ 1.104) is adverse in any respect, the applicant or patent owner, if he or she persists in his or her application for a patent or reexamination proceeding, must reply and request reconsideration or further examination, with or without amendment.

In the instant case, applicant has amended claims without both responding to the rejections of the previous Office action and showing how the current amendments overcome the rejections. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

In addition, applicant is encouraged to provide an Information Disclosure statement with the documents provided on 7 September 2006.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the central PTO Fax Center. The faxing of such pages must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CFR § 1.6(d)). The Central PTO Fax Center Number is (571) 273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Negin, Ph.D., whose telephone number is (571) 272-1083. The examiner can normally be reached on Monday-Friday from 7am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Andrew Wang, Supervisory Patent Examiner, can be reached at (571) 272-0811.

Any inquiry of a general nature or relating to the status of this application should be directed to Legal Instrument Examiner, Yolanda Chadwick, whose telephone number is (571) 272-0514.

Information regarding the status of the application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information on the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RSN

16 September 2006

John S. Brusca 18 September 2006
JOHN S. BRUSCA, PH.D.
PRIMARY EXAMINER

16 Sept 2006